

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI**

ALAA ALMOGHRABI,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 4:14CV507 AGF
)	
GOJET AIRLINES, LLC)	
)	
and)	
)	
INTERNATIONAL BROTHERHOOD)	
OF TEAMSTERS LOCAL UNION)	
NO. 618,)	
)	
Defendants.)	

**DEFENDANT TEAMSTERS LOCAL 618'S MOTION
TO COMPEL DISCOVERY RESPONSES FROM PLAINTIFF**

Pursuant to Fed. R. Civ. P. 33, 34, 37 and Local Rule 37-3.04, Defendant Teamsters Local Union No. 618 moves this Court for an Order compelling Plaintiff to provide, without objections, complete and verified Answers to Local 618's First Set of Interrogatories to Plaintiff and Responses to Local 618's First Request for Production of Documents directed to Plaintiff and in support, states as follows:

1. On March 13, 2015, Defendant Local 618 served its First Interrogatories and First Request for Production of Documents on Plaintiff by email and first class U.S. mail, postage prepaid.
2. On review of this discovery, Plaintiff objected to the number of Interrogatory questions. Rather than spend time and money disputing the objections, Local 618 agreed to resubmit its

Interrogatories to Plaintiff and did so on March 23, 2015.

3. After resubmission of the Local 618 Interrogatories, Plaintiff's attorney sent emails to 618's attorney advising no further objections would be made to the number of Interrogatories and agreeing that Plaintiff's Response to the Request to Produce would be due by April 13, 2015. Plaintiff's Interrogatory Answers or objections would be due by April 24, 2015. Eventually, Plaintiff's attorney requested Local 618 agree to an extension for Plaintiff to file a Response to 618's Request to Produce to April 17, 2015 and 618's attorney agreed.

4. On April 17, 2015, Plaintiff's attorney called 618's attorney advising Plaintiff's attorney might not be able to access the server at his own law firm in order to serve Plaintiff's Response to 618's Request to Produce or Interrogatory responses. 618's attorney asked that these Responses be provided as soon as possible after the law firm issue was resolved.

5. As of April 28, 2015, Defendant 618 had not received Plaintiff's Answers or objections to 618's Interrogatories or Plaintiff's Response to 618's Request to Produce.

6. On April 28, 2015, 618's attorney sent an email to Plaintiff's attorney as to the overdue discovery and on April 29, 2015, 618's attorney left a telephone message for Plaintiff's attorney on the same subject. As of May 1, 2015, Plaintiff's attorney had not responded to the email or telephone message.

7. The email and telephone messages were made in good faith pursuant to Local Rule of Court 37-3.04 and were an attempt to resolve this discovery dispute by counsel for Local 618.
8. Pursuant to Local Rule of Court 37- 3.04, counsel for Local 618 attempted to resolve this discovery dispute with Plaintiff, but no responses have been made by Plaintiff.
9. This case was delayed five (5) months by Plaintiff's inability to properly serve Co-Defendant GoJet Airlines (Complaint filed March 19, 2014 and service on GoJet made September 24, 2014), and another two (2) months when Plaintiff's attorney changed law firms and requested this Court Stay the Proceedings pending his new law firm's conflict check.
10. This Court has set May 12, 2015 as a Hearing date for GoJet Airlines' Motion to Compel. Defendant Local 618 requests an opportunity to be heard at the same hearing if this discovery issue is not resolved by that date.
11. Incorporated by reference into this Motion is the following Memorandum of Law:

WHEREFORE, for the reasons set forth above, Defendant Local 618 requests this Court enter an Order compelling Plaintiff to Answer Local 618's First Set of Interrogatories and First Request for Production of Documents without objection within seven (7) days and for such other and further relief as this Court deems just and proper.

Respectfully submitted,

SPECTOR, WOLFE, McLAUGHLIN & O'MARA, L.L.C.

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Attorneys for Defendant Teamsters Local Union No. 618

CERTIFICATE OF SERVICE

I hereby certify that on May 1, 2015, I electronically filed the foregoing pleading with the Clerk of the Court using the CM/ECF system.

/s/ Gary S. Wolfe